

Remarks

I. Introduction

Claims 47, 48, 51, and 52 have been amended. Claims 13-41 and 53-58 have been withdrawn. Claims 1-12 and 42-46 have been cancelled. Claims 49, 50, and 59 are also in the case. Reconsideration of this application in light of the following further remarks is respectfully requested.

II. The Rejection of Claims 47-51

Claims 47-51 have been rejected under 35 U.S.C. § 102 as anticipated by Tanaka U.S. patent 5,954,506 (hereinafter "Tanaka"). This rejection is respectfully traversed.

Claim 47 has been amended to specify "a plurality of magnetic devices." Claim 47 has been further amended to specify that the "member" secures "the plurality of magnetic devices to a surface of tissue in the patient." Claim 47 has been still further amended to specify that the member "movably enter[s] an aperture in each of the plurality of magnetic devices." Nothing like this is shown in Tanaka.

FIG. 26C of Tanaka shows only a single magnetic member 142 through which a fixing member can pass to secure the magnetic member to the patient. Tanaka does not show a plurality of magnetic devices linked by a single member as specified by applicants in claim 47. In particular, Tanaka does not show a single linking member entering separate apertures in each of a plurality of magnetic devices. Claim 47 is therefore not anticipated by Tanaka, and this claim and its dependent claims 48-51 should accordingly be allowed.

III. The Indication of Allowable Subject Matter

Claim 52 has been indicated to be allowable if rewritten in independent form. This has been done by amending claim 52 to include the features of former claims 47, 48, and 51. Claim 52 is therefore now allowable as indicated in the Office action.

IV. Conclusion

The foregoing demonstrates that claims 47-52 are allowable. Claim 59 has been allowed. All other claims have either been cancelled or withdrawn. This application is therefore in condition for allowance. Reconsideration and allowance are accordingly respectfully requested.

Respectfully submitted,



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